IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.31300 of 2008

1. SARIKHAN GIRI
2. Ram Prit Giri S/o Late Ram Chander Giri
3. Suresh Giri S/o Late Ram Chander Giri
4. Nawal Giri S/o Ram Prit Giri
5. Tuntun Giri @ Amarnath Giri S/o Kanli Giri
6. Ranjan Giri @ Rabi Ranjan Giri S/o Sarikhan Giri
7. Tileshwar Giri S/o Late Bachan Giri All resident of Vill. Mirjanagar P.S. Mahua, Dist. Baishali.

Versus

STATE OF BIHAR

3/ 07.11.2008 Heard.

The investigation by the police on the basis of the first information report resulted in a report in final form against the petitioners no. 3 and 7. The self-same investigation resulted in filing of charge sheet against the petitioners no. 1,2,4,5 and 6 pertaining to offences allegedly committed by them, which offences are bailable offences. The police also allowed police bail to the petitioners no.1,2,4,5 and 6. The Magistrate, however, has not accepted the report in the final form and at the same time has not accepted that the offences allegedly committed by the petitioners are bailable in nature.

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Considering the facts, as above, I think petitioners have been able to make out a case for grant of anticipatory bail. Let the above named petitioners, in the event of their arrest or surrender within six weeks from today,

be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of R.N. Ram, Ist, Class, J.M. Vaishali at Hazipur arising out of Mahua P.S. Case No. 1 of 2007subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

S.B.P. **(Barin Ghosh, J.)**

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